



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P(MD)No.12244 of 2017

and

CrI.M.P(MD)Nos.8473 & 8474 of 2017

Chandrasekar

... Petitioner/Respondent

vs.

1.Renugadevi

2.Minor Bhavani

3.Minor Heepathy

(Minor 2 and 3 are represented by their
mother and natural guardian / 1st respondent)

... Respondents / Petitioners

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records pertaining to the D.V.O.P.No.3 of 2017, on the file of the learned Judicial Magistrate, Ilayankudi and quash the same.

For Petitioners : Mr.D.Ramesh Kumar

For Respondents : Mr.J.Lawrance

ORDER

This petition has been filed to call for the records from the Lower Court in D.V.O.P.No.3 of 2017, on the file of the learned Judicial Magistrate, Ilayankudi and quash the same.

2. Heard the learned counsel for the Petitioner and perused the materials placed before this Court.

3. The various grounds raised by the learned counsel for the petitioner are all factual in nature and the same requires appreciation of evidence in the course of the trial and the said exercise cannot be done by this Court in exercise of its jurisdiction under Section 482 of Cr.P.C. It is left open to the petitioner to raise all the grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law. This Court does not want to interfere with the proceedings at this stage.

4. The learned counsel for the petitioner requested this Court to dispense with the presence of the petitioner. Taking into consideration, the facts and circumstances of the case, the presence of the petitioner is dispensed with and he shall be represented by a



counsel, who shall present before the Court below as and when required, during the important dates of hearing.

5. This Criminal Original Petition is therefore dismissed, however, with a direction to the Court below to complete the proceedings in D.V.O.P.No.3 of 2017, on the file of the Judicial Magistrate, Ilayankudi, within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

tsg

To

The Judicial Magistrate,
Ilayangudi.

+1 CC to Mr.J.LAWRANCE, Advocate (SR-92751[F] dated 18/10/2019)

Crl.O.P(MD)No.12244 of 2017
17.10.2019

VB(05.11.2019) 2P 3C